



FEDERAL ELECTION COMMISSION
Washington, DC 20463

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607 Fourteenth St., N.W.
Washington, D.C. 20005-2011

April 30, 1999

RE: MUR 4763
Texas Democratic Party, *et al.*

Dear Ms. Corley and Mr. Elias:

This is to confirm our phone conversation yesterday, during which we discussed this Office's concerns with your clients' responses to the Commission's Subpoenas to Produce Documents and Orders to Submit Written Answers. We agreed to address these concerns, at least at the outset, in an informal manner. In this regard, we broached two areas of initial concern.

First, with regard to the request that each of the county party committees "[p]roduce all documents . . . related to the creation, organization, and operation of the [named committee], including but not limited to the constitution, charter, bylaws, rules, regulations, resolutions, agreements, contracts, procedural manuals, memoranda of understanding or any comparable governing documents," five of the seven county party committees (Bexar, Dallas, Galveston, Jefferson and Tarrant, a/k/a 21st Century PAC) have not produced any documents responsive to this request. This Office does not consider copies of original or amended Statements of Organization to be documents responsive to this request. As we discussed, you have agreed to contact your clients in an effort to secure more complete information in this regard. To the extent that any of these county party committees claims to operate with *no* constitution, *no* charter, *no* bylaws, *no* rules, *etc.*, they should confirm this and provide detailed explanations of their decisionmaking procedures (e.g., how officers are elected, how funds are disbursed, how contribution decisions are made).

Two of the seven county party committees (Harris and Travis) produced documents that are partially responsive to the request, but they should further confirm that these are the only such documents. For example, while the Harris County Democratic Party produced its bylaws, it is unclear whether it operates under any rules of conduct, such as those produced by the Travis County Democratic Party.

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Second, the information and documents provided by the seven county party committees in response to requests #3, #4 and #5 are only partially responsive. The disclosure reports filed by the committees with the Commission list well over one hundred transfers of federal funds between the county party committees and the Texas Democratic Party from 1993 through 1996; however, the county party committees have provided very little documentation or information regarding these transfers, as requested in the subpoenas. As we agreed, we will discuss specific transfer/contribution information after this Office has compiled a list of each individual transfer/contribution as disclosed in the committees' reports. In the meantime, your clients should review their records for additional documents in response to these particular subpoena requests.

Please provide the requested information and documents within fifteen (15) days of your receipt of this letter. The instructions and definitions included with the original subpoenas are still applicable. As I indicated during our phone conversation, the concerns addressed above are based on a preliminary review of the discovery responses. The need for additional information may become apparent during further examination of the responses. We appreciate your and your clients' cooperation in this matter. If you have any questions, please contact me at (202) 694-1650.

Sincerely,



Thomas J. Andersen
Attorney